

Chapter 3: ADMINISTRATION

CHAPTER 3: ADMINISTRATION**Section 300 – In General.**

Section

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300.01 Meetings of the Council**Subdivision 1. Regular Meetings**

Regular meetings of the council shall be the first Monday of each calendar month after the third at 6:00 P.M. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place. All meetings including special and adjourned meetings shall be held in city hall. No meeting will continue beyond 12:00 midnight, regardless of completion of agenda items.

Subdivision 2. Special Meetings.

A special meeting may be called by the mayor or by any two council members pursuant to the notice requirements of M.S. §13D.04 Subd. 2 as it may be amended from time to time at such time and place for such purposes as stated in the notice of the meeting.

Subdivision 3. Emergency Meetings.

When the health, safety, or welfare of the city or its residents would be unduly endangered or subject to imminent harm by any delay, the Council may convene an emergency meeting to discuss how to handle the emergency situation. The notice of provisions of M.S. § 13D.04, Subd. 3 as it may be amended from time to time, shall be followed.

Subdivision 4 First Council Meeting of the Year

At the first regular meeting in January of each year the council shall:

1. Designate the depositories of city funds
2. Designate the official newspaper
3. Chose one of the council members as acting mayor, who shall perform the duties of the mayor during the disability or absence of the mayor from the city or, in case of a vacancy in the office or mayor, until a successor has been appointed and qualifies.
4. Appoint such officers and employees and such members of boards, commissions, and committees as may be necessary.
5. Designate City Assessor
6. Designate City Attorney

Subdivision 5. Public Meetings.

All council meetings, including the special and adjourned meetings, and all meetings of the council committees shall be open to the public. All closed meetings will be held in accordance with the M. S Ch. 13D.

300.02 Presiding Officer**Subdivision 1. Who Presides.**

The mayor shall preside at all meetings of the City Council. In the absence of the mayor, the acting mayor shall preside. In the absence of both, the administrator shall call the meeting to order and shall preside until the council members present at the meeting choose one of their members to act temporarily as preceding office.

Subdivision 2. Procedure.

The presiding officer shall preserve order, enforce the rules of procedure herein prescribed, and determine without debate, subject to the final decision of the council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these rules, the procedure and order shall be conducted in accordance with "Roberts Rules of Order, Revised."

Subdivision 3. Appeal Procedure.

Any member may appeal to the council from a ruling of the presiding officer. If the appeal is seconded, the member may speak solely on the question involved and presiding officer may explain his/her ruling, but no other council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority of the members present exclusive of the presiding officer.

Subdivision 4. Rights of Presiding Officer.

The presiding officer may make motions, second motions, or speak on any question except that on demand of any council member he shall vacate the chair and designate a council member to preside temporarily.

300.03 Minutes**Subdivision 1. Who keeps.**

Minutes of each council meeting shall be kept by the City Administrator or, in his or her absence, the Administrative Assistant. In the absence of both, the presiding officer shall appoint a secretary pro tem. Ordinances, resolutions, and claims need not be recorded in full in the minutes if they appear in other permanent records of the administrator and can be accurately identified from the description given in the minutes.

Subdivision 2. Approval

The minutes of each meeting shall be reduced to typewritten form, and shall be signed by the administrator. At the next regular council meeting approval of the minutes shall be considered by the council. The minutes need not be read aloud unless a member of the

council requests such a reading. The presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction, it may be made without a vote of the council. If there is an objection, it may be made without a vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

300.04 Order of business.

Subdivision 1. Order established.

Each meeting of the council shall convene at the time and place appointed therefore. Council business shall be conducted in the following order:

1. Call to order
2. Roll Call
3. Blackduck Forum
4. Consent Items
5. Public Hearings
6. Petitions, requests, and communications
7. Ordinances and Resolutions
8. Experts of officers, boards, and committees
9. Unfinished business new business
10. Miscellaneous
11. Adjournment

Subdivision 2. Varying Order.

The presiding officer may vary the order of business, but all public hearings shall be held at the time specified in the notice of the hearing.

Subdivision 3. Agenda

The administrator shall prepare an agenda of business for each regular council meeting and a file a copy in the office. The agenda shall be prepared in accordance with the order of business and copies therefore shall be delivered to each council member as far in advance of the meeting as time for preparation will permit. No item of business shall be considered unless it appears on the agenda for the meeting or is approved for addition to the agenda by a unanimous vote of the council members present.

300.05 Quorum and Voting.

Subdivision 1. Quorum.

At all council meetings a majority of all the council members elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time and the council may punish non attendance by a fine for each absence from any meeting unless a reasonable excuse is offered.

Subdivision 2. Voting.

The votes of the members on any question be taken in any manner which signifies the intention of the individual members, and the votes of the members on any action shall be

recorded in the minutes. The votes of each member shall be recorded on each appropriation of money, except for payments of judgements, claims, and amounts fixed by statute. If any member is present but does not vote, the minutes, as to his or her name, shall be marked "Present – Not Voting"

Subdivision 3. Votes Required.

Majority vote of all members of the council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

300.06 Ordinances, Resolutions, Motions, Petitions, and Communications.

Subdivision 1. Readings

Every ordinance and resolution shall be presented in writing. Every ordinance shall receive two readings before the council prior to final adoption, but shall not be read twice at the same meeting unless the rules are suspended for that purpose. An ordinance or resolution need not be read in full unless a member of the council requests such a reading.

Subdivision 2. Signing and publication proof.

Every ordinance and resolution passed by the council shall be signed by the mayor, attested by the administrator, and filed in the ordinance or resolution book. Proof of publication of every ordinance shall be attached and filed with each ordinance.

Subdivision 3. Repeals and amendments.

Every ordinance or resolution repealing a previous ordinance or resolution or a section or subdivision thereof shall give the number, if any, and title of the ordinance or code number of the ordinance or resolution to be repealed in whole or in part. Each ordinance or resolution amending an existing ordinance or resolution or part thereof shall set forth in full each amended section or subdivision as it will read with the amendment.

Subdivision 4. Motions, Petitions, Communications.

Every motion shall be stated in full before it is submitted to a vote by the presiding officer and shall be recorded in the minutes. Every petition or other communication addressed to the council shall be in writing and shall be read in full upon presentation to the council unless the council dispenses with the reading. Each petition or other communication shall be recorded in the minutes by title and filed with the minutes in Blackduck City Hall.

300.07 Committees.

Subdivision 1. Standing Committees

Committees designated - there shall be the following standing committees.

~~Liquor Committee~~

1. Park and Tree Board

- ~~Law Enforcement Committee~~
- ~~Golf Board~~
- 2. Revolving Loan Committee
- ~~Cemetery Committee~~
- 3. Library Board
- ~~Health Board~~
- 4. Personnel
- 5. Public Works
- 6. Marketing
- 7. Finance
- 8. Public Safety

Subdivision 2. Membership

Each committee shall be appointed by the mayor with the approval of the majority of the council. Each committee member shall serve as appointed unless excused by a majority of the members of the council.

Subdivision 3. Referral Reports.

Any matter brought before the council for consideration may be referred by the presiding officer to the appropriate committee or to the special committee appointed by him or her for a written report and committee report shall be signed by a majority of the members and shall be filed with the administrator prior to the council meeting at which it is to be submitted. Minority reports may be submitted. Each committee shall act promptly and faithfully on the matter referred to it.

300.08 Suspensions or amendments of rules.

These rules may be suspended only by a two-thirds vote of the members present and voting.

Section 310. Salaries of Mayor and Council Members.

Section

310.01.	Amount of Salaries
310.02	Special Meetings and Board or Commission Meetings
310.03	Compensation for out of town meetings.

310.01. Amount of Salaries

Effective January 1, 2003, the salary of the mayor shall be \$150.00 per month and the salary of each council member shall be \$50.00 per meeting attended.

The following duties shall be defined as part of the annual salary.

- a. All regularly scheduled council meetings – 12 per year
- b. Individual meetings with the city administrator and/or city staff members reviewing council agendas, concerns or other city actions items.
- c. Ground breaking, open houses, dedication ceremonies, public relations, and other invited social functions.

310.02 Special Meetings and Board or Commission Meetings

Each council member, and Mayor shall be paid \$25.00 per meeting for attendance at special meetings and those board and commission meetings that are council authorized and required to attend due to being that said board, committee, or commission liaison member. This amount is limited to two meetings per month per committee. The following duties shall fall under this section:

- a. Special council meetings as scheduled
- b. Council liaison for commission or board meetings
- c. Special commission or board meetings.
- d. Council approved committee and/or task force meetings
- e. Board of review meetings
- f. Budget review meetings
- g. Council retreat or training

310.03 Compensation for out of town meetings.

The mayor and each council person shall be paid \$50.00 per 8 hour day and \$25 per 4 hour day for attendance at any meeting, seminar or conference beyond the city limits of the City of Blackduck, when attendance at such meeting, seminar or conference is in the performance or furtherance of their duties as an elected official, and when the nature of the meeting and the travel time incident thereto, is such that the workday is expended in attendance and travel. When required to use his or her own vehicle when attending a meeting, conference, or seminar, reimbursement shall be made at the federal rate.

Section 320 – Elections

Section

- 320.01 Date of Regular City Election.
- 320.02 Terms of Mayor and Council Members.

320.01 Date of Regular City Election.

The regular City election shall be held biennially on the first Tuesday after the first Monday in November of every even-numbered year.

320.02 Terms of Mayor and Council Members.

After the first regular biennial election, the term for the office of Mayor shall be two years and the terms for the offices of Council members shall be four years.

Section 330 – City Administrator

Section	330.01	Purpose.
	330.02	Scope.
	330.03	Appointment.
	330.04	Duties.

330.01 Purpose.

In order to provide the City with a more efficient, coordinated, responsible and responsive municipal government, the position of City Administrator shall be hereby established.

330.02 Scope.

The City Council shall provide policy guidance and general direction to the City Administrator who shall serve as the Chief Administrative Officer of the City. The Administrator shall be responsible for the administrative direction of all departments and offices of the municipal government, subject only to statutory and/or municipal code or ordinance limits which may apply. It shall be the intent of this Section that the City Administrator shall have clear authority to administer the day-to-day operations of the municipal government, subject only to the restrictions noted above.

330.03 Appointment.

The City Administrator shall be appointed by a four-fifths (4/5) vote of all the members of the City Council and shall be chosen solely on the basis of his or her training, experience and executive and administrative qualifications. The City Administrator shall hold office for an indefinite term, subject to removal for cause by a four-fifths (4/5) vote of all the members of the City Council. The appointment may be terminated by the City Administrator upon two weeks written notice to the City Council prior to the termination.

330.04 Duties.

In addition to the general duties and responsibilities set forth in this Section, the City Administrator shall:

- A. Be responsible for preparation of the annual City budget in accordance with the guidelines as may be provided by the City Council, and in coordination with all department heads;
- B. Keep the Council informed of the financial condition of the City. Recommend action as appropriate, prepares and implements financial guidelines;
- C. Keep informed concerning current developments in the field of municipal administration, and from time-to-time submit recommendations or suggestions to improve the municipal government;
- D. Keep informed concerning State and Federal legislation affecting the City, and submit

appropriate reports and recommendations to the City Council;

E. Keep informed concerning the availability of State and Federal funds for local programs, and assist department heads and the City Council in procuring the funds;

F. Be responsible for the training, direction and supervision of all personnel assigned to the Municipal Government, and for making recommendations to the City Council on appointments and promotions of personnel;

G. Be responsible for the administrative direction and supervision of all employees of, consultants to, and vendors doing business with the City.

H. Serve as the personnel officer for the Municipal Government. As such, he or she shall keep complete and up-to-date personnel records, to include specific job descriptions for all City employees, recommend salary and wage scales for City employees, develop and enforce standards of performance by City employees, assure that all City employees have proper working conditions, work closely with department heads to promptly resolve any personnel problems or grievances.

I. Work closely with all department heads to ensure that such personnel and other City employees receive adequate opportunities for training to improve their knowledge and skills, and act as the approving authority for all requests by City employees to attend conferences, meetings, training schools, etc. pertaining to their employment;

J. In coordination with the Mayor, prepare the agenda for all meetings of the City Council, together with such supporting data as may be required. Nothing in this Section shall be construed as to give the City Administrator authority to limit or in any way prevent matters from being considered by the Council;

K. Act as purchasing agent for the City and be responsible for making all purchases in accordance with the approved municipal budget. The Administrator shall have the authority to sign purchase orders for budgeted routine services, equipment and supplies for which the cost shall not exceed one thousand dollars. All claims resulting from orders placed by the City shall be audited for payment by the Council. The Administrator shall negotiate contracts for any kind of merchandise, materials, equipment or construction work for presentation to the Council;

L. Perform all duties as prescribed by the job description and such other duties as may be prescribed by law or required by ordinance or resolution adopted by Council, including attending all meetings of the Council and such other boards, commissions, and committees as assigned by the Council, and performing all statutory duties of the City Clerk-Treasurer except as otherwise assigned by this Code or action of the Council.

Section 340
Provision for the Combination of Offices of City Clerk and City Treasurer

340.01 Combination of Offices

Pursuant to the authority granted by Laws 1961, Ch 230 the offices of clerk and treasurer of the city of Blackduck are hereby combined in the office of clerk-treasurer.

Section 350 Police Department

Section

350.01	Establishment
350.02.	Chief of Police
350.03	Duties of Police
350.04	Uniform and Badge
350.05	Reserve Officers

350.01 Establishment

A Police Department is hereby established. The head of the department shall be known as the chief of police and the number of additional members of the department, together with their ranks and titles, shall be determined by the council by resolution. The council shall appoint members of the department.

350.02. Chief of Police

The chief of police shall have supervision and control of the police department and its members. He or she shall be responsible for law enforcement and for property of the city used by department. He or she shall be responsible for the proper training and discipline of the members of the department. He or she shall be responsible for the keeping of adequate records and shall report to the council on the needs of the department and its work. Every member of the department subordinate to the chief shall obey instructions of the chief and superior officer. The council shall designate one of the police officers acting as chief, who shall have all powers and duties during his absence or disability.

350.03 Duties of Police

Members of the police department are authorized to enforce the ordinances and laws applicable to the city, bring violators before the county court, and make complaints for offenses coming to their knowledge. Members of the police department shall serve processes on behalf of the city and shall serve such notices as may be required by the council or other authority. When the city is not a party to the proceedings involved in the process or notice, the officer shall collect the same fees as provided by law for town constables. All such fees shall be paid into the city treasury.

350.04 Uniform and Badge

Each member of the department shall, while on duty, wear a suitable badge and uniform furnished by the city, except that the chief may authorize the performance of specific duties while not in uniform. When a member terminates his or her membership in the department, he shall immediately deliver to the city his badge, uniform, and all other property of the city in his or her possession.

350.05 Reserve Officers

In case of a riot or other law enforcement emergency, the Chief of Police may appoint for a specified time as many Reserve Officers as may be necessary for the maintenance of law and order. During such term of employment, the Reserve Officers shall have only the authority to provide supplementary assistance at special events, traffic or crowd control, and administrative or clerical assistance. A reserve officer's duties do not include enforcement of the general criminal laws of the state, and the officer does not have full powers of arrest.

Section 360 Department of Public Works

260.01 Organization and Establishment

A Public Works Department and Public Works Supervisor for the City of Blackduck is hereby established.

Subdivision 1 Duties of the Public Works Supervisor.

The department of the Public Works Supervisor and he or she shall be responsible for the operations of all public utilities, maintenance of streets, maintenance of buildings, maintenance of the cemetery, maintenance of parks and playgrounds. He or she shall generate and issue all rules, regulations and procedures necessary to incur the proper functioning of all divisions within these divisions. Such rule, regulations and procedures shall be consistent with MN Statutes, Ordinances, and Council policy. He or she must assure that the laws, ordinances, and resolutions pertaining to public works are enforced.

Section 370. Planning Commission

Section

370.01	Establishment of Commission.
370.02	Composition
370.03	Organizations, meetings, etc.
370.04	Powers and duties of the commission.

370.01 Establishment of Commission.

A City Planning Commission for the City of Blackduck is hereby established. The commission shall be on the City Planning Agency authorized by Minnesota Statutes, Section 462.354, and Subdivision 1.

370.02 Composition

Subdivision 1 Membership

The City Planning Commission shall consist of five members. The City Planner shall be a member ex-officio. The five members shall be appointed and may be removed by the council.

Subdivision 2 Terms

All members shall serve without compensation.

370.03 Organizations, meetings, etc.

Subdivision 1 Offices

The commission shall elect a chairman from among its appointed members for a term of one year, and the commission may create and fill such other offices as it may determine.

Subdivision 2 Meetings records reports.

The commission shall hold at least one regular meeting each month. It shall adopt rules for the transaction of business and shall keep record of its resolutions, transactions, and findings, which record shall be a public record. A copy of the minutes of each meeting shall be given to the City Council.

370.04 Powers and duties of the commission.

The planning Commission shall have the powers and duties planning conferred upon it by this ordinance by the council. After the commission has prepared and adopted a comprehensive plan, the commission shall periodically but at least once every two years, review the comprehensive plan, any ordinance and any capitol improvement plan, adopt the amendments or the new comprehensive plan, and recommend it to the council in accordance with law. Similarly, after such review, it shall recommend to the council any amendments it deems desirable to the capitol improvement project and any ordinance implementing the plan.

Section 380 Emergency Management

Section

380.01	Policy and Purpose
380.02	Definitions
380.03	Establishment of emergency management organization
380.04	Powers and duties of Director
380.05	Local emergencies
380.06	Emergency regulations
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380.01 Policy and Purpose.

Because of the existing possibility of the occurrence of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds or other natural causes, or from sabotage, hostile action, or from hazardous material mishaps of catastrophic measure; and in order to insure that preparation of this city will be adequate to deal with those disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the city, it is hereby found and declared to be necessary:

- A. To establish a city emergency management organization responsible for the city planning and preparation for emergency government in time of disasters.
- B. To provide for the exercise of necessary powers during emergencies and disasters.
- C. To provide for the rendering of mutual aid between this city and other political subdivisions of this state and of other states with respect to the carrying out of emergency preparedness functions.
- D. To comply with the provisions of M. S. § 12.25, as it may be amended from time to time, which requires that each political subdivision of the state shall establish a local organization for emergency management.

380.02 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Disaster A situation which creates an immediate and serious impairment to the health and safety of any persons, or a situation which has resulted in or is likely to result in

catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or the prevent injury or loss.

Emergency An unforeseen combination of circumstances which calls for immediate action to prevent from developing or occurring.

Emergency Management The preparation for the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by flood, fire, tornado, and other acts of nature, or from sabotage, hostile action, or from industrial hazardous mishaps. These functions include, without limitation, firefighting services, police services, emergency medical services, engineering, warning services, communications, radiological, and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utilities services and other functions related to civil protection, together with all other activities necessary or incidental for carrying out the foregoing functions. Emergency management includes activities sometimes referred to as “civil defense” functions.

Emergency Management Forces The total personnel resources engaged in a city-level emergency management functions in accordance with the provisions of this chapter or any rule or order thereunder. This includes personnel from city departments, authorized volunteers, and private organizations and agencies.

Emergency Management Organization The staff responsible for coordinating city-level planning and preparation for disaster response. This organization provides city liaison and coordination federal, state, ad local jurisdictions relative to disaster preparedness activities and assures implementation of federal and state requirements.

380.01 Establishment of Emergency Management Organizations.

There is hereby created within the city government and emergency management organization, which shall be under the supervision and control of the City Emergency Management Director, called the Director. The Director shall be appointed by the Mayor with approval of the City Council for an indefinite term and may be removed by him or her at any time. The Director shall serve with a salary as established by the City Council and shall be paid his or her necessary expenses. The Director shall have direct responsibility for the organization, administration and operation of the emergency preparedness organization, subject to the direction and control of the Mayor.

380.02 Powers and Duties of the Director.

- A. The Director, with the consent of the Mayor, shall represent the city on any regional or state conference for emergency management. The Director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted, and shall present these agreements to the Council for its action. These arrangements shall be consistent with the Sate Emergency Plan.

- B. The Director shall make studies and surveys of the human resources, industries, resources, and facilities of the city as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster. The director shall establish the economic stabilization systems and measures, service staffs, boards, and sub-boards required, in accordance with state and federal plans and directions subject to the approval of the Mayor.
- C. The Director shall prepare a comprehensive emergency plan for the emergency preparedness of the city and shall present the plan to the Council for its approval. When the Council has approved the plan, it shall be the duty of all city agencies and all emergency preparedness forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The Director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plan of the federal government and the state and correlate with emergency plan of the county and other political subdivisions of the state.
- D. In accordance with the State and City Emergency Plan, the Director shall institute training programs, public information programs and conduct practice warning alerts and emergency exercises as may be necessary to assure prompt and effective operation of the City Emergency Plan when a disaster occurs.
- E. The director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all city departments and agencies shall, to the maximum extent practicable, cooperate with and extend services and facilities to the city's emergency management organization and to the Governor upon request. The Head of each department or agency head of each department or agency in cooperation with the Director shall be responsible for the planning and programming of those emergency activities as will involve the utilization of the facilities of the department or agency.
- F. The Director shall, in cooperation with those city departments and agencies affected, assist in the organizing, recruiting, and training of emergency management personnel, which may be required on a volunteer basis to carry out the emergency plan of the city and state. To the extent that emergency personnel are recruited to augment a regular city department or agency for emergencies, they shall be assigned to the departments or agencies and shall be under the administration and control of the department or agency.
- G. Consistent with the state emergency services law, the Director shall coordinate the activity of municipal emergency management organizations within the city and assist in establishing and conducting training programs as required to assure emergency operational capability in the several services as provided by M. S. § 12.25, as it be amended from time to time.
- H. The Director shall carry out all orders, rules, and regulations issued by the Governor with reference to emergency management.

- I. The Director shall prepare and submit reports on emergency preparedness activities when requested by the Mayor.

380.05 Local Emergencies.

- A. A local emergency may be declared only by the Mayor or his or her legal successor. It shall not be continued for a period in excess of three days except by or with consent of the Council. Any order, or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed in the office of the City Administrator.
- B. A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or inter-jurisdictional disaster plans, and may authorize aid and assistance thereunder.
- C. No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an inter-jurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions. Penalty, see 380.99.

380.06 Emergency Regulations.

- A. Whenever necessary, to meet a declared emergency or to prepare for an emergency for which adequate regulations have not been adopted by the Governor or the Council, the Council may by resolution promulgate regulations, consistent with applicable federal and state laws or regulations, respecting: the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services, emergency health, fire, and safety regulations, drills, or practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in declared emergencies.
- B. Every resolution of emergency regulations shall be in writing, shall be dated; shall refer to the particular emergency to which it pertains, if so limited, and shall be filed in the office of the City Administrator. A copy shall be kept in posted and available for public inspection during business hours. Notice of the existence of these regulations and their availability for inspection at the City Administrator's Office shall be conspicuously posted at the front of the city hall or other headquarters of the city or at other places in the affected areas as the Council shall designate in the resolution. By resolution, the Council may modify or rescind a regulation.
- C. The Council may rescind any regulation by resolution at any time. If not sooner rescinded, every regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent conflict exists.

- D. During a declared emergency, the city is, under the provisions of M.S. § 12.31, as it may be amended from time to time notwithstanding any statutory or Charter provision to the contrary, empowered, through its Council, acting within or without the corporate limits of the city, to enter into contracts and incur obligations be necessary to combat the disaster by protecting the health and safety of persons and property and providing emergency assistance to the victims of a disaster. The city may exercise these powers in the light of the exigencies of the disaster without compliance with the time consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation of expenditure of public funds, including, but not limited to, publication of resolutions, publication of calls for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for bids. Penalty, see 380.99.

380.07 Emergency Management a Government Function.

All functions and activities relating to emergency management are hereby declared to be governmental functions. The provisions of this action shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this resolution or under the worker's compensation law, or under any pension law, nor the right of any person to receive any benefits or compensation under act any of Congress.

380.08 Participation in Labor Disputes or Politics.

The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

380.99 Penalty.

Any person who violates any provision of the chapter or any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of city employees or officers is guilty of a misdemeanor.

Section 390 E-911 Uniform Addressing

Section

390.01	Purpose & Intent
390.02	Display of Road Address Numbers
390.03	Multiple Dwelling Numbering
390.04	Maintenance of Building Numbers
390.05	Time for Compliance
390.06	Exception and Practical Alternatives
390.07	Enforcement
380.100	Penalty

390.01 Purpose & Intent

The City Council finds that for the purpose of providing proper protection of public and private property in the City of Blackduck, it is essential to require visible approved addressing or identification for each separate public, residential, commercial or industrial building.

The purpose and intent of this ordinance is to protect the health and safety of the public by requiring street and road addresses to be prominently displayed in a uniform manner, making it easier for emergency vehicles to find their destination.

390.02 Display of Road Address Numbers

Every property owner of improved property shall purchase and display official address numbers. The following criteria must be used to properly display the number:

1. Address numbers on all buildings must be a minimum of four (4) inches in height so as to be seen easily from the road.
2. Address numbers shall be placed on the front of the building facing the road named in the address or on the end of the building nearest such road.
3. Address numbers shall not be placed on a portion of the house or building that is set back so that it is blocked by any other building, or portion of the same building, or any other object.
4. Address numbers must be set on a background of a contrasting color.
5. If a building is more than fifty (50) feet from the improved portion of the road, or is not clearly visible from the road, the address number shall be displayed on a sign attached to a fence, gate, lawn stake, or mailbox or equivalent as approved by the City, in front of the building and at the end of the driveway. This number must be visible from the roadway and placed at such a height that assures the number will not be obscured by snow accumulation or snowplowing.

6. Address numbers should be easily legible.
7. All trees, shrubs or other vegetation shall be trimmed so that the numbers are visible from any point on the street in front of the building.
8. Numbers cannot be painted directly on a structure.

390.03 Multiple Dwelling Numbering

1. It shall be the duty of the owner or manager of every multiple dwelling building containing five or more rental units, and the owner or occupant of every individually owned dwelling unit in any such multiple unit building to properly identify each dwelling unit by attaching identification numbers on or adjacent to each entrance to the individual units.
2. Structures with more than one dwelling unit or more than one business (apartments, retail centers, etc.) shall be assigned one address number for each building and shall use unit, suite or apartment numbers for each residential or business tenant.
3. It shall be the duty of the owner of every building containing more than one dwelling unit or more than one business and the owner or occupant of every individually owned dwelling unit or business in any multiple unit building to properly identify each dwelling unit or business by attaching identification numbers on or adjacent to each entrance and to provide signs, including directional arrows, easily identifying the location of each dwelling unit or business in the building which is accessed from that entrance. The signs shall be placed in an obvious location inside each entrance to the building as approved by the Fire Chief.

Penalty, see §100.99

390.04 Maintenance of Building Numbers

The owner of the locatable primary structure shall be responsible for keeping its E-911 address in good repair and clear of snow, dirt, debris or other obstructions.

Penalty, see §100.99

390.05 Time for Compliance

All owners of primary structures in the City shall comply with this ordinance within (45) forty-five days. All City licenses, applications and permits may be withheld from the owners or occupants of primary structures if the address is not placed or maintained in conformance with the ordinance.

Penalty, see §100.99

390.06 Exception and Practical Alternatives

If the locatable primary structure is in or within 5 feet of the road right-of-way, such as in a commercial district, the assigned address number shall be displayed on the outside of the primary structure, near the front door, for emergency purposes. The address number must face the public road, be clearly visible and shall be no smaller than 4 inches tall, high contrast to the primary structure. No self-adhesive number appliques shall be used.

Practical alternatives to the application of the provisions of this ordinance may be granted by the Council where following such applications create undue difficulties created by the characteristics of the property.

390.07 Enforcement

1. Owners or occupants of buildings which do not comply with this ordinance will be notified and requested to meet these requirements within sixty (60) days from the date of notification. Owners or occupants of buildings which are not brought into compliance with the sixty (60) days shall be guilty of a misdemeanor.